

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
June 14, 2009

Closed Session: none

Call to Order: Meeting was called to order at: 9:36 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Melvin L. Kiogima, Councilor Marvin Mulholland  
Absent: Councilor Fred Harrington, Jr., Councilor Alice Yellowbank, Councilor Rita Shananaquet

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: none

Judicial Officials Present: none

Guests: Ken Harrington

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Motion made by Councilor McNamara and supported by Treasurer Chingwa to adopt the agenda for June 14, 2009 with additions.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to approve the minutes of May 17, 2009 with corrections.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Elders Comments: no comments at this time.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to accept Legislative Leader Law's verbal report for June 14, 2009.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

1 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to  
2 release the closed session minutes for 1999 – (Title-1999 no specific date given),  
3 January 9, 2000, February 20, 2000, and March 5, 2000.

4 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr.,  
5 Councilor Yellowbank, Councilor Shananaquet)

6 Motion carried.

7  
8 Motion made by Councilor Mulholland and supported by Secretary Gasco  
9 Bentley to accept Treasurer Chingwa's verbal Treasurer and Appropriations and  
10 Finance Committee report for June 14, 2009.

11 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr.,  
12 Councilor Yellowbank, Councilor Shananaquet)

13 Motion carried.

14  
15 11:07 a.m. Recess called.

16 11:20 a.m. Meeting reconvened.

17  
18 11:47 a.m. Public Comment opened: no comments.

19 11:47 a.m. Public Comment closed.

20  
21 Motion made by Councilor McNamara and supported by Councilor Mulholland to  
22 accept the Land and Reservation Chairperson Kiogima's verbal and written  
23 report for June 14, 2009.

24 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr.,  
25 Councilor Yellowbank, Councilor Shananaquet)

26 Motion carried.

27  
28 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa  
29 to accept the Legislative Services Attorney Budnick's verbal and written report  
30 for June 14, 2009.

31 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr.,  
32 Councilor Yellowbank, Councilor Shananaquet)

33 Motion carried.

34  
35 11:58 a.m. Lunch recess called.

36 1:34 p.m. Meeting reconvened.

37  
38 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to  
39 disapprove the Natural Resource Commission Regulations for Licensing and  
40 Permits REG WOS 2005-01 051809-003.

41 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr.,  
42 Councilor Yellowbank, Councilor Shananaquet)

43 Motion carried.

44  
45 Motion made by Secretary Gasco Bentley and supported by Councilor  
46 McNamara to disapprove the Gaming Regulatory Commission Regulations REG-  
47 WOS 2005-06 051809-007.

1 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr.,  
2 Councilor Yellowbank, Councilor Shananaquet)  
3 Motion carried.

4  
5 Motion made by Treasurer Chingwa and supported by Councilor Mulholland to  
6 adopt Tribal Resolution: Request for Funding from the U.S. Department of Health  
7 and Human Services Indian Health Service Little Traverse Bay Bands of Odawa  
8 Indians FY 08 and FY 09 Methamphetamine and Suicide Prevention Initiative  
9 (MSPI) Little Traverse Bay Bands of Odawa Indians Methamphetamine and  
10 Suicide Prevention Grant.

11 Roll Call Vote: Councilor Harrington, Jr. -absent, Councilor Kiogima-yes,  
12 Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-  
13 absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco  
14 Bentley-yes, Legislative Leader Law-yes  
15 Motion carried.

16  
17 1:50 p.m. Councilor Harrington, Jr., arrived.

18  
19 Motion made by Treasurer Chingwa and supported by Councilor Mulholland to  
20 adopt Tribal Resolution: Funding from the U.S. Department of Housing and  
21 Urban Development Native American Housing Block Grant Program Little  
22 Traverse Bay Bands of Odawa Indians NAHBG Housing Project.

23 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
24 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
25 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
26 yes, Legislative Leader Law-yes  
27 Motion carried.

28  
29 Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley  
30 to adopt Tribal Resolution: Funding from the U.S. Department of Housing and  
31 Urban Development FY 2009 Indian Community Development Block Grant  
32 Program Little Traverse Bay Bands of Odawa Indians Public Facilities Project.

33 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
34 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
35 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
36 yes, Legislative Leader Law-yes  
37 Motion carried.

38  
39 Motion made by Councilor Kiogima and supported by Councilor Mulholland to  
40 adopt Tribal Resolution: Request for Funding from the U.S. Environmental  
41 Protection Agency, Under Section 103 of the Clean Air Act, FY 2009 Region 5  
42 Tribal Energy Project, Little Traverse Bay Bands of Odawa Indians, Tribal Energy  
43 Project.

44 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
45 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
46 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
47 yes, Legislative Leader Law-yes  
48 Motion carried.

1 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to  
2 adopt Tribal Resolution: United States Department of Health and Human  
3 Services Indian Health Service, Office of Clinical and Preventive Services,  
4 Children and Youth Projects, Little Traverse Bay Bands of Odawa Indians Tribal  
5 Children and Youth Project.

6 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
7 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
8 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
9 yes, Legislative Leader Law-yes

10 Motion carried.

11  
12 Motion made by Treasurer Chingwa to adopt Tribal Resolution: Bureau of Indian  
13 Affairs Construction Easement at Ninaatig Drive.

14 Motion dies due to lack of support.

15  
16 Motion made by Councilor Kiogima and supported by Treasurer Chingwa to  
17 accept Councilor Harrington, Jr.'s verbal and written report for June 14, 2009.

18 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
19 Shananaquet)

20 Motion carried.

21  
22 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to  
23 approve the business account agreement with National City Bank and Little  
24 Traverse Bay Bands of Odawa Indians with waiver of governing law and  
25 jurisdiction.

26 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
27 Shananaquet)

28 Motion carried.

29  
30 Motion made by Secretary Gasco Bentley and supported by Councilor  
31 McNamara to approve lease agreement between Planet Bingo LLC, and Little  
32 Traverse Bay Bands of Odawa Indians with limited waiver of sovereign immunity.

33 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
34 Shananaquet)

35 Motion carried.

36  
37 Motion made by Councilor Kiogima and supported by Councilor Harrington, Jr.,  
38 to that authorize the Tribal Chairman through his administrative oversight  
39 authorize to sign an Engagement Letter for legal services with Hobbs, Straus,  
40 Dean & Walker, LLP for assistance with land and reservation issues not to  
41 exceed \$20,000 to come from the Legal Department budget.

42 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
43 Shananaquet)

44 Motion carried.

45 2:46 p.m. Recess called.

46 3:00 p.m. Meeting resumed.

47  
48 3:00 p.m. Public Comment opened.

1 3:00 p.m. Public Comment closed.

2  
3 Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa  
4 to post the Lewis and Doris Adams' Tribal Holiday Statute to the Legislative  
5 Calendar.

6 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
7 Shananaquet)

8 Motion carried.

9  
10 Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to  
11 post the Law Enforcement Authority Statute to the Legislative Calendar.

12 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
13 Shananaquet)

14 Motion carried.

15  
16 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa  
17 to post the Liquor and Tobacco Licensing Board Statute to the Legislative  
18 Calendar.

19 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
20 Shananaquet)

21 Motion carried.

22  
23 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa  
24 to post the Liquor and Tobacco License Violations Statute to the Legislative  
25 Calendar.

26 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
27 Shananaquet)

28 Motion carried.

29  
30 Motion made by Councilor Mulholland and supported by Treasurer Chingwa to  
31 post the Disclosure of Public Documents Statute on the Legislative Calendar.

32 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
33 Shananaquet)

34 Motion carried.

35  
36 Motion made by Treasurer Chingwa and supported by Councilor Mulholland to  
37 post the Asset Disposition Statute on the Legislative Calendar.

38 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor  
39 Shananaquet)

40 Motion carried.

41  
42 Motion made by Councilor Kiogima and supported by Treasurer Chingwa to  
43 adopt Tribal Resolution Request for Trust Acquisition of Parcel in Harbor Springs,  
44 Emmet County, Michigan.

45 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
46 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
47 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
48 yes, Legislative Leader Law-yes

1 Motion carried.

2  
3 The Preference in Employment Proposed Draft Statutes (Councilor Yellowbank &  
4 Councilor Kiogima version) were both tabled.

5  
6 Motion made by Councilor Mulholland and supported by Treasurer Chingwa to  
7 pass Waganakising Odawak Statute Investment Statute.

8 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
9 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
10 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
11 yes, Legislative Leader Law-yes

12 Motion carried.

13  
14 3:48 p.m. Councilor McNamara left.

15  
16 The Economic Development Commission Draft Statute was tabled.  
17 The Odawa Economic Development Management Draft Statute and Corporate  
18 Charter were reviewed.

19  
20 4:49 p.m. Motion made by Councilor Harrington, Jr., and supported by Treasurer  
21 Chingwa to adjourn.

22 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Yellowbank, Councilor  
23 Shananaquet, Councilor McNamara)

24 Motion carried.

25  
26  
27  
28  
29 These Minutes have been read and approved as written (or) corrected: (delete  
30 either the word "written" or "corrected" as pertains to how the minutes were  
31 approved.)

32  
33  
34  
35 \_\_\_\_\_  
36 Regina Gasco Bentley, Tribal Council Secretary

\_\_\_\_\_ Date